

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CHARLES HADDAD,

Plaintiff,

vs.

Civil Action  
No. 04-CV74932

INDIANA PACERS, an assumed name, a/k/a  
PACERS BASKETBALL CORPORATION, an  
Indiana corporation, JERMAINE O'NEAL and  
ANTHONY JOHNSON, Jointly and Severally,

Hon. Anna Diggs Taylor  
Mag. Judge Donald A. Scheer

Defendants.

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**PLAINTIFF'S RESPONSE TO DEFENDANT ANTHONY JOHNSON'S**  
**MOTION TO DISMISS PLAINTIFF'S PRAYER**  
**FOR PUNITIVE AND EXEMPLARY DAMAGES**

NOW COMES Plaintiff, by and through his attorneys, CHARFOOS & CHRISTENSEN, P.C., and responding to Defendant Anthony Johnson's Motion to Dismiss Plaintiff's Prayer for Punitive and Exemplary Damages Claims Pursuant to Fed.R.Civ.P. 12(b)(6),

requests that this Honorable Court deny Defendant's motion for the reasons set forth in Plaintiff's Response to Defendant Indiana Pacers' Motion to Dismiss Punitive and Exemplary Damages Claims Pursuant to Fed.R.Civ.P. 12(b)(6) and Brief in Support of filed with this Court on April 6, 2005.

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Dated: April 18, 2005

**CERTIFICATE OF SERVICE**

I hereby certify that on April 18, 2005, I electronically filed the foregoing document with the Clerk of the Court using the ECF system which will send notification of such filing to the following: Richard M. Apkarian; Steven M. Potter, and Hideaki Sano. I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: Thomas W. Cranmer, 150 W. Jefferson, Suite 2500, Detroit, Michigan 48226 and Matthew F. Leitman, 840 W. Long Lake Road, Suite 200, Troy, Michigan 48098-6358.

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